

§ 1747. Authorization of appropriations; determination of value of transferred commodity

In order to make payment to the Commodity Credit Corporation for any commodities transferred to the national stockpile pursuant to section 1743(a)(4) of this title, there are authorized to be appropriated amounts equal to the value of any commodities so transferred. The value of any commodity so transferred, for the purpose of this section, shall be the lower of the domestic market price or the Commodity Credit Corporation's investment therein as of the date of transfer to the stockpile, as determined by the Secretary of Agriculture

(Aug. 28, 1954, ch. 1041, title I, §107, 68 Stat. 898.)

§ 1748. Annual reports by agricultural attachés

(a) In general

The Secretary shall require appropriate officers and employees of the Department of Agriculture, including those stationed in foreign countries, to prepare and submit annually to the Secretary detailed reports that—

(1) document the nature and extent of—

(A) programs in such countries that provide direct or indirect government support for the export of agricultural commodities and the products thereof;

(B) other trade practices that may impede the entry of United States agricultural commodities and the products thereof into such countries; and

(C) where practicable, the average prices and costs of production in such countries for like commodities exported from the United States to such countries; and

(2) identify opportunities for the export of United States agricultural commodities and the products thereof to such countries.

(b) Duties

The Secretary shall—

(1) annually compile the information contained in reports prepared under subsection (a) of this section—

(A) on a country by country basis; and

(B) on a commodity by commodity basis for exports of United States agricultural commodities, as determined appropriate by the Secretary, the export of which is hampered by an unfair trade practice. Where practicable, the report shall include a comparison of the average prices and costs of production for such commodities in the United States and in the importing countries for the previous crop year;

(2) in consultation with the agricultural technical advisory committees established under section 2155(c) of title 19, include in the compilation a priority ranking of those trade barriers identified in subsection (a) of this section by commodity group;

(3) include in the compilation a list of actions undertaken to reduce or eliminate such trade barriers; and

(4) not later than January 15 of each year, make the compilation available to Congress, the agricultural policy advisory committee, and other interested parties.

(c) Meeting

The Secretary and the United States Trade Representative shall convene a meeting, at least once each year, of the Agricultural Policy Advisory Committee and the agricultural technical advisory committees to develop specific recommendations for actions to be taken by the Federal Government and private industry to—

(1) reduce or eliminate trade barriers or distortions identified in the annual reports required to be submitted under subsections (a) and (b) of this section; and

(2) expand United States agricultural export opportunities identified in such annual reports.

(Aug. 28, 1954, ch. 1041, title I, §108, as added Pub. L. 101-624, title XV, §1532, Nov. 28, 1990, 104 Stat. 3689; amended Pub. L. 102-237, title III, §§316-318, Dec. 13, 1991, 105 Stat. 1856, 1857; Pub. L. 104-127, title II, §272, Apr. 4, 1996, 110 Stat. 976.)

AMENDMENTS

1996—Subsec. (b)(1)(B), Pub. L. 104-127 struck out “including fruits, vegetables, legumes, popcorn and ducks” after “agricultural commodities”.

1991—Pub. L. 102-237, §316, made technical amendment to directory language of Pub. L. 101-624, §1532, which enacted this section, resulting in no change in text.

Subsec. (b)(1)(B), Pub. L. 102-237, §317, substituted a semicolon for period at end.

Subsec. (b)(4), Pub. L. 102-237, §318, struck out “the trade assistance office authorized under section 504 of the Agricultural Trade Act of 1978 (as amended by section 201),” after “available to Congress,”.

§ 1749. Attaché educational program

The Administrator of the Foreign Agricultural Service shall establish a program within the Service that directs attachés of the Service who are reassigned from abroad to the United States, and other personnel of the Service, to visit and consult with producers and exporters of agricultural commodities and products and State officials throughout the United States concerning various methods to increase exports of United States agricultural commodities and products.

(Aug. 28, 1954, ch. 1041, title I, §109, as added Pub. L. 101-624, title XV, §1532, Nov. 28, 1990, 104 Stat. 3690; amended Pub. L. 102-237, title III, §316, Dec. 13, 1991, 105 Stat. 1856.)

AMENDMENTS

1991—Pub. L. 102-237, §316, made technical amendment to directory language of Pub. L. 101-624, §1532, which enacted this section, resulting in no change in text.

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SUBCHAPTER I—GENERAL PROVISIONS; AGRICULTURAL COUNSELORS AND AGRICULTURAL ATTACHÉS

§ 1761. Foreign markets; collection of information

For the purpose of encouraging and promoting the marketing of agricultural commodities of the United States and assisting American farmers, processors, distributors, and exporters to adjust their operations and practices to meet world conditions, the Secretary of Agriculture shall acquire information regarding the competition and demand for United States agricultural commodities, the marketing and distribution of such commodities in foreign countries and shall be responsible for the interpretation and dissemination of such information in the United States and shall make investigations abroad regarding the factors affecting and influencing the export of United States agricultural commodities, and shall conduct abroad any other activities including the demonstration of standards of quality for American agricultural commodities for which the Department of Agriculture now has or in the future may have such standards, as he deems necessary. Nothing contained herein shall be construed as prohibiting the Department of Agriculture from conducting abroad any activity for which authority now exists.

(Aug. 28, 1954, ch. 1041, title VI, § 601, 68 Stat. 908; Pub. L. 95-501, title III, § 301(3), Oct. 21, 1978, 92 Stat. 1688.)

AMENDMENTS

1978—Pub. L. 95-501 substituted "agricultural commodities" for "agricultural products" in four places and substituted "such commodities" for "said products".

WORLD LIVESTOCK MARKET PRICE INFORMATION

Pub. L. 101-624, title XV, § 1545, Nov. 28, 1990, 104 Stat. 3695, directed Secretary of Agriculture to develop appropriate methodology for determining world price of livestock and livestock products, to gather and analyze appropriate price and cost of production information concerning such products in foreign countries for pur-

pose of price discovery and to aid in sale of livestock and livestock products in foreign export markets, and to periodically publish such information, prior to repeal by Pub. L. 104-127, title II, § 273, Apr. 4, 1996, 110 Stat. 976.

IMPLEMENTATION OF 1978 AMENDMENT; REGULATIONS

Pub. L. 95-501, title VI, § 601, Oct. 21, 1978, 92 Stat. 1691, which required Secretary of Agriculture to implement provisions of Pub. L. 95-501 as expeditiously as possible, was omitted and a new section 601 of Pub. L. 95-501 added as part of the complete revision of Pub. L. 95-501 by Pub. L. 101-624, title XV, § 1531, Nov. 28, 1990, 104 Stat. 3668. See chapter 87 (§ 5601 et seq.) of this title.

§ 1762. Personnel

(a) Appointment

To effectuate the carrying out of the purposes of this subchapter, the Secretary of Agriculture is authorized to appoint such personnel as he determines to be necessary and, with the concurrence of the Secretary of State, to assign such personnel to service abroad.

(b) Titles; rank and privileges; appointments of Agricultural Counselors

Officers or employees assigned or appointed to posts abroad under this subchapter shall have the designation of Agricultural Counselor, Agricultural Attaché, or such other titles or designations that shall be agreed to by the Secretary of State and the Secretary of Agriculture, and shall be accorded the same rank and privileges as those of other counselors or attachés in United States embassies. An Agricultural Counselor shall be appointed in any nation—

(1) to which a substantial number of governments with which the United States competes directly for agricultural markets in such nation assign agricultural representatives with the diplomatic status of counselor or its equivalent; or

(2) in which—

(A) the potential is great for long-term expansion of a market for United States agricultural commodities, and

(B) competition with other nations for existing and potential agricultural markets is extremely intense.

Not less than ten Agricultural Counselors shall be appointed within three years after October 21, 1978.

(c) Attachment to diplomatic missions

Upon the request of the Secretary of Agriculture, the Secretary of State shall regularly and officially attach the officers or employees of the United States Department of Agriculture to the diplomatic mission of the United States in the country in which such officers or employees are to be assigned by the Secretary of Agriculture, and shall obtain for them diplomatic privileges and immunities equivalent to those enjoyed by Foreign Service personnel of comparable rank and salary.

(d) Assignment to United States

Any officer or employee appointed and assigned to a post abroad pursuant to this subchapter may, in the discretion of the Secretary of Agriculture, be assigned for duty in the continental United States, without regard to the